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# SADR AL-SHARI'A ON TAFDIL

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AL-FATAWA AL-AMJADIYYA

نقل معانيها وعلق عليها

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# SADR AL-SHARI'A ON TAFDIL

FATWA OF 'ALLAMA ABU AL-'ULA AMJAD 'ALI AL-A'ZAMI (1296-1367AH)

AL-FATAWA AL-AMJADIYYA, VOLUME FOUR, PAGE 361-362

## QUESTION:

What do the scholars of the religion say on this issue; who has the greater rank between Sayyiduna Abu Bakr *al-Siddiq* ؓ and Imam al-Husayn ؓ? <sup>1</sup> It is the understanding of Zayd that the rank of Imam al-Husayn ؓ is greater due to the great sacrifice of Imam al-Husayn ؓ in achieving martyrdom at Karbala, while [also] being from the household (*Ahl*) and a descendant (*'Iyal*). Furthermore, because such a deed is the most excellent (*Afdal*) of all deeds, [is this so]?

## ANSWER:

Sayyiduna Abu Bakr *al-Siddiq* ؓ is more excellent (*Afdal*) than every single man after the Prophets; there is consensus (*Ijma'*) of all companions on him being most excellent.

The following tradition (*Hadith*) is mentioned in the Noble Sahih al-Bukhari: Abu Bakr ؓ, is the most knowledgeable of us<sup>2</sup> and the most excellent of us<sup>3</sup>.

<sup>1</sup> This is quite a common ailing argument made by the *Mufaddila*, and, as one can see, it is dealt a heavy blow by 'Allama Amjad 'Ali al-A'zami. On the same terms, another such argument made by the *Mufaddila* that both Imam Hasan ؓ and Imam Husayn ؓ are greater than the two Grand Companions, Sayyiduna Abu Bakr ؓ and Sayyiduna 'Umar ؓ. This, they base upon the *Hadith*: "al-Hasan and al-Husayn are the Leaders of the youth from the People of Paradise, and their father is better than them". This is related by an assembly of Companions and agreed to be authentically reported, while disputed by some on the addition of "and their father is better than them".

Mulla 'Ali al-Qari provides its meaning that: "They will be leaders of the People of Paradise for other than the Prophets and the Rightly Guided Caliphs, and this is because everyone in Paradise will be of one age, which will be young." He further notes the comments of al-Tayyibi: "It is possible that it refers to them being Leaders of those who were young at that time, from the People of Paradise (i.e. not the elders)". (Mirqat al-Mafatih, *Kitab al-Manaqib Wa al-Fada'il*) Abu Bakr Ibn al-'Arabi explains: "Abu Bakr ؓ and 'Umar ؓ are Leaders of the elders of the world, and al-Hasan ؓ and al-Husayn ؓ are Leaders of the young of the world, in Paradise". ('Arida al-Ahwadhi, *Kitab al-Manaqib*) Sindi also explains: "And it is a must to specify it for other than the Prophets and the Rightly Guided Caliphs". (Hashiya 'Ala Musnad Ahmad, *Abu Sa'id*, Hashiya 'Ala Ibn Maja, *Kitab al-Muqaddima*)

Also, al-Manawi writes: "And it is specific to other than the Prophets and the Four Caliphs". (Fayd al-Qadir, *Harf al-Hamza*) As is clear from the above, the correct interpretation of the *Hadith* requires one to specify it for other than the Prophets and the first four Caliphs, as their excellence over everyone is consensually agreed upon within the *Ahl al-Sunnah*.

<sup>2</sup> From Abu Sa'id al-Khudri ؓ who said the Messenger of Allah ﷺ delivered a *Khutbah* to the people and said: 'Indeed Allah gave a slave of His a choice between the *Dunya* and between what is with Him, so the slave of Allah chose that which is with Allah.' Abu Sa'id ؓ mentions: Abu Bakr ؓ began crying, we were surprised at him crying, because the Messenger of Allah ﷺ had mentioned a slave of Allah being given a choice. Abu Bakr ؓ understood that the Messenger of Allah ﷺ was the one who had been given that choice and **Abu Bakr ؓ was the most knowledgeable of us**. The Messenger of Allah ﷺ said: 'Indeed from the one who sacrificed for me the most from amongst the people, with his companionship and his wealth was Abu Bakr ؓ. If I were to take a close friend, I would have taken Abu Bakr ؓ as a close friend, but what occurs is the brotherhood of Islam and its affection. There is no doorway to the Masjid except that it should be closed off, except the door of Abu Bakr ؓ.' (Sahih al-Bukhari, *Kitab Fada'il al-Sahabah*), it is also mentioned with similar wording in Jami' al-Tirmidhi and Muwatta Imam Malik.

<sup>3</sup> There is no such *Hadith* with this exact wording in Sahih al-Bukhari. It is likely the Shaykh meant to explain "*Kana A'lamana*" with the following "*Kana Afdalana*" or combine two different reports in one statement. In addition, there are numerous *Ahadith* to the same effect in Sahih al-Bukhari, the most popular of them being that of Sayyiduna Ibn 'Umar ؓ. The actual use of "*Afdalana*" is also reported to have been used by Sayyiduna 'Ali ؓ, when he mounted the pulpit and declared before a vast gathering: The Messenger of Allah ﷺ did not die except we knew that **Abu Bakr ؓ was the most excellent of us** after Him ؓ. And Abu Bakr ؓ did not die except we knew that 'Umar ؓ was the most excellent of us after him ؓ. (Ibn Abi 'Asim in *al-Sunnah*, Ibn 'Asakir in *Tarikh Dimashq* 30/375)

For this reason His Blessed, Excellency ﷺ chosen him as the *Imam*, even though there were other suggestions, His Excellency ﷺ, did not accept them<sup>4</sup>.

Indeed, Imam al-Husayn ﷺ made a great sacrifice, he is a son of the Messenger of Allah ﷺ, and Allah has also honoured him with a very lofty rank. However, this does not necessitate excellence over *al-Siddiq al-Akbar* ﷺ.

Even the disputants admit to atleast this much, that the rank of Imam al-Husayn ﷺ is only after the ranks of Imam al-Hasan ﷺ, and Sayyiduna 'Ali ﷺ. Therefore, if the state of martyrdom was the breaking point in being more excellent than *al-Siddiq al-Akbar* ﷺ, then it would deliver Imam al-Husayn as more excellent than both Imam al-Hasan ﷺ and Sayyiduna 'Ali ﷺ because they were never subject to such a situation.

To us, both of them and all the mentioned, are our masters and our leaders, we must be obedient to them and we must love them<sup>5</sup>. May Allah, the most high, for the sake of the mentioned make us a subsistence of His mercy too, Ameen.

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<sup>4</sup> Narrated Al-Aswad ﷺ: "We were with 'Aisha ﷺ, discussing the regularity of offering the prayer and dignifying it. She said, 'When the Prophet of Allah ﷺ fell sick with the fatal illness and when the time of prayer became due and *Adhan* was pronounced, he said, 'Tell Abu Bakr ﷺ to lead the people in prayer.' He was told that Abu Bakr ﷺ was a tenderhearted man and would not be able to lead the prayer in his place. The Prophet ﷺ gave the same order again but he was given the same reply. He ﷺ gave the order for the third time and said, 'You (women) are the companions of Yusuf. Tell Abu Bakr ﷺ to lead the prayer.' So Abu Bakr ﷺ came out to lead the prayer. (Sahih al-Bukhari 1.633)

The importance of Sayyiduna Abu Bakr's ﷺ uniqueness in this matter is further demonstrated in the *Hadith* of Ibn Zam'ah ﷺ: When the illness of the Prophet of Allah ﷺ became serious while I was with him among a group of people, Bilal ﷺ called him for prayer. He ﷺ said: Ask someone to lead the people in prayer. So Abdullah ibn Zam'ah ﷺ went out and found that Umar ﷺ was present among the people and Abu Bakr ﷺ was not there. I said: Umar ﷺ, get up and lead the people in prayer. So he came forward and uttered "Allah is Most Great". When the Apostle of Allah ﷺ heard his voice, as Umar ﷺ had a loud voice, he said: Where is Abu Bakr ﷺ? Allah does not allow that, and the Muslims too; Allah does not allow that, and the Muslims too. So he sent for Abu Bakr ﷺ. He came after Umar led that prayer and then led the people in prayer. (Sunan Abi Dawud, *Kitab al-Sunnah*)

Sayyiduna 'Ali ﷺ is also reported to have declared: "When the Prophet ﷺ passed away, we looked in to our affair and we found the Prophet ﷺ had put forward Abu Bakr ﷺ in the Prayer. Therefore, we are content for our world with he who the Messenger of Allah ﷺ was content with for our religion; consequently we put forward Abu Bakr ﷺ". (Mentioned by Ibn Sa'd in *al-Tabaqat al-Kubra*, and with similar wording by Ibn al-Jowzi in his *Sifa al-Safwa*, al-Muhib al-Tabari in *al-Riyad al-Nadara*, al-Baladhuri in *Ansab al-Ashraf*, Ibn 'Abd al-Barr in *al-Tamhid*, Ibn 'Asakir in *Tarikh Dimashq*, Ibn Hajr al-Haytami in *al-Sawa'iq al-Muhriqa*, al-Samhudi in *Jawahir al-'Aqdayn Fi Fadl al-Sharafayn*)

Imam Ibn Hajr al-Haytami relates the following *Hadith* with an authentic chain of transmission, on the authority of Sayyiduna 'Ali: "It was asked: Oh Allah's Prophet, Who should be made a leader after you? He said: If you make Abu Bakr, you will find him honest, abstinent in this life and desirous of the afterlife. If you make 'Umar, you will find him strong, honest, fearing in Allah no one's blame. If you make 'Ali, and I don't think you will, you will find him guided, guiding you to the straight path." (Musnad Imam Ahmad)

Imam Ibn Hajr al-Haytami comments: "[Him saying:] *and I don't think you will* is not due to any objection from them, rather it is a permission to act upon what they have concensed in their understanding, [as per] regarding the precedence of Abu Bakr for prayer in them in the days of His illness is the most explicit proof, as 'Ali himself indicates in numerous narrations, of the precedence of Abu Bakr over every single companion in the Caliphate (*Khilafa*) and Excellence (*Afdaliya*), and other than them two". (Tathir al-Janan Wa al-Lisan, *al-Fasl al-Thalith*)

Imam Ibn Kathir quotes the Imam of *Ahl al-Sunnah*, Abu al-Hasan al-Ash'ari رحمه الله: "And he ﷺ being put forward is a matter which is known by necessity in the religion of Islam (*Ma'lum Bi al-Darura Min Din al-Islam*)", [and he also] said: "And he ﷺ being put forward is proof of him being the most knowledgeable of the Companions ﷺ and the most learned of them. [This is] from what is proven in the report, which is agreed by the scholars to be authentically transmitted, that the Messenger of Allah ﷺ said: "He should lead the prayer who is most learned from among of the Book of Allah. If they are equal in learning, then it should be the one most knowledgeable in the Sunnah. If they are equal in the Sunnah, then it should be the oldest, and if they are equal in age then it should be the one who is foremost in Islam." Imam Ibn Kathir comments on this: "I say: this speech of al-Ash'ari, may Allah be Merciful to him, should be written in Gold Ink (*Ma' al-Dhahab*), thus, all these [mentioned] prerequisites are met in *al-Siddiq* ﷺ. (al-Bidaya Wa al-Nihaya, *Sana Ihda 'Ashara Min al-Hijrah*)

<sup>5</sup> We are required to love both assemblies. Some *Tafidli Shi'a* seem to think that the *Ahadith* relating to loving Sayyiduna 'Ali ﷺ being a sign of *Iman* and disliking Him ﷺ being a sign of hypocrisy, is only specific to Him ﷺ. Rather, this is the case with all the Companions ﷺ. Al-Bara' ﷺ heard the Messenger of Allah ﷺ say: "The *Ansar*, no one loves them except a believer, and no one dislikes them except a hypocrite". (Sahih al-Bukhari, *Kitab Manaqib al-Ansar*, Sahih Muslim, *Kitab al-Iman*) The *Ahadith* in this regard are numerous.

## AL-FATAWA AL-AMJADIYYA, VOLUME FOUR, PAGE 328-329

## QUESTION (1):

What is the ruling according to the People of Shari'ah (*Ahl al-Shari'ah*) on the following issue -

After the Prophet ﷺ, who is of greater rank, the assembly of the Sahaba ﷺ, or the assembly of the Descendants and the Family<sup>6</sup> (from which include Sayyida Fatima al-Zahra and the male offspring of His Excellency Sayyiduna Qasim, Sayyiduna 'Abdullah, and Sayyiduna Ibrahim, and the assembly of the Mother of the believers, and Imam Hasan, Imam Husayn and all the Imams and Sayyiduna 'Ali رضي الله عنهم)?

## ANSWER (1):

The most excellent, after the Prophets and Messengers, is Sayyiduna Abu Bakr al-Siddiq ﷺ.

It is narrated in Sahih al-Bukhari, on the authority of 'Amr Ibn al-'As ﷺ that he asked the Noble Prophet ﷺ:

Who is the most beloved to you? He said: 'A'isha ﷺ. I asked: From the men? He said: her father ﷺ.<sup>7</sup>

<sup>6</sup> It is the difference in excellence between the *Sahaba* ﷺ and the *Ahl al-Bayt* رضي الله عنهم. This is another method employed by the *Tafdili Shi'a* after completely failing to prove their creed, they move on to the court of the direct bloodline of the Prophet ﷺ (*Fadila Bad'iyya*). However, this is partial excellence (*Fadila Juz'awiyya*) and only perceived as excellence in the bloodline (*Fadila Nasabiyya*), not in complete religious affairs (*Fadila Diniyya*). This is clearly explained by Imam al-Manawi, Imam Ibn Kathir and others. (Fayd al-Qadir, al-Bidaya Wa al-Nihaya)

<sup>7</sup> It is also related by Muslim in his *Sahih*, al-Hakim in his *al-Mustadrak*, al-Tirmidhi in his *Sunan*, al-Nasa'i in his *Sunan*, Ibn Majah in his *Sunan*, Imam Ahmad Ibn Hanbal in his *Musnad* and al-Tabarani in *al-Mu'jam al-Awsat*. Sayyiduna 'Amr ﷺ continues to ask: "And then who after Him (Abu Bakr) ﷺ? He said: 'Umar ﷺ'."

Imam al-Sindi in his *Hashiya* to the Musnad Imam Ahmad explains the reason 'Amr Ibn al-'As ﷺ asked was because the Prophet ﷺ made him a leader (*Ra'is*), so he thought he might be the most beloved because of this. After he enquired, he realized that this was not the case. (Musnad Imam Ahmad, 'Amr Ibn al-'As, Hadith: 7707). This is further corroborated by Imam Ibn Hajr, that Abu Bakr ﷺ and 'Umar ﷺ were present while he was made leader, so he asked to clarify (Also, per His own narrative in the *Hadith* related in *al-Mustadrak*). This *Hadith* also proves that one who is less excellent can be superior in one particular aspect than the most excellent, hence 'Amr's ﷺ leadership (Fath al-Bari, *Kitab al-Maghazi*) The reason for the Author's mentioning of this *Hadith* is clear, as Imam Badr al-Din al-Ayni writes: "Abu Bakr ﷺ being the most beloved to the Prophet ﷺ proves that he has plentiful excellence and that he is the most excellent of people after the Prophet ﷺ". ('Umda al-Qari, *Kitab Fada'il al-Sahaba*)

Imam al-Nawawi comments under this *Hadith*: "This is a clear declaration about the magnificence of the excellences of Abu Bakr and 'Umar and 'A'isha, may Allah be pleased with them, and in it is a clear proof for the *Ahl al-Sunnah* in [believing in the] excellence of Abu Bakr ﷺ, then 'Umar ﷺ over all companions ﷺ." (Sharh Sahih Muslim, *Kitab Fada'il al-Sahaba*) The Shi'a generally present the following *Hadith* of Sayyida 'A'isha ﷺ to cause contention, where she declares: "I swear by Allah, I surely know that you love 'Ali ﷺ more than my father and me, twice or thrice". This is related by Imams Ahmad, Abu Dawud, and al-Nasa'i in *al-Sunan al-Kubra*. However, Imam Ibn Hajr confirms the position of *Ahl al-Sunnah* that this latter *Hadith* only supports an acknowledgement (*Taghrir*) while the former is a direct declaration by the Prophet ﷺ, himself (*Qawl al-Nabi*). He further clarifies: "And it is possible to merge the difference [between them] in terms of love, where it is understood to be encompassing (across-the-board) for Abu Bakr ﷺ in contrast to 'Ali ﷺ". (Fath al-Bari Sharh Sahih al-Bukhari, *Kitab Fada'il al-Sahaba*)

The same is said of the few authentic traditions which demonstrate Sayyidatuna Fatima ﷺ and Sayyiduna 'Ali ﷺ as being the most beloved, in terms of the direct *Ahl al-Bayt* or *Ahl al-Kisa'*. Other traditions usually presented by the Shi'a in this regard tend to be sourced from the extremely weak traditions to complete forgeries.



It is narrated from Muhammad Ibn al-Hanafiyya ؓ, as mentioned in Sahih al-Bukhari:

I asked my father (i.e. Sayyiduna 'Ali ؓ): Who is the best of people after the Prophet ﷺ? He said: Abu Bakr ؓ. I asked: Then who? He said: 'Umar ؓ.<sup>8</sup>

It is narrated in al-Tirmidhi, on the authority of the Leader of the Believers, *al-Faruq al-A'zam* ؓ that he said:

Abu Bakr ؓ is our master (*Sayyiduna*) and the best amongst us and the most beloved from amongst us to the Messenger of Allah ﷺ.<sup>9</sup>

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<sup>8</sup> It is also mentioned with slight difference in wording (but not in meaning) in al-Daraqutni, Tarikh Dimashq, and others. The remainder of the *Hadith* of al-Bukhari: "I feared that he might say 'Uthman' ؓ, so I asked: Then you? He said: "I am not but a man from [amongst] the Muslims".

The Great Sufi Imam al-Qastallani in his Commentary *Irshad al-Sari* writes that a weak *Hadith* is mentioned by Ibn 'Asakir where Sayyiduna 'Ali actually mentions the third most excellent as 'Uthman ؓ. He then writes concerning the difference of opinion regarding who is more excellent between 'Sayyiduna Uthman ؓ or 'Sayyiduna Ali ؓ, "A consensus formed afterwards among the *Ahl al-Sunnah* that their ranking in excellence is the same as their ranking in Caliphate".

Similar accounts are unprecedented from Sayyiduna 'Ali ؓ, infact Imam al-Suyuti notes in his *Tarikh al-Khulafa* that Imam al-Dhahabi attests to them as being mass transmitted (*Mutawatir*), along with a great number of other leading authorities such as Imam Ibn Hajr al-Haythami in *al-Sawa'iq al-Muhriqa*.

In way of example, note the narration of 'Abdullah Ibn Muslima ؓ of when Sayyiduna 'Ali ؓ mounted the pulpit and declared aloud: "Beware! Indeed the best of this Ummah is Abu Bakr ؓ and then Umar ؓ and then Allah knows best" (Ibn 'Abd al-Barr, *al-Isti'ab*). Another tradition to note would be that of when Sayyiduna 'Ali ؓ was in Kufa, a man proclaimed: Oh most excellent of people! He asked: Have you seen the Messenger of Allah ﷺ? He replied: No. He said: If you had replied in the affirmative, then I would have struck your neck. [Then] he asked: Have you seen Abu Bakr ؓ and 'Umar ؓ? He replied: No. He said: If you had said that [you did], then I would have inflicted upon you a beating. (Ibn 'Ali al-Saman, *Al-Muwafaqa Bayna Ahl al-Bayt Wa al-Sahaba*).

The Shi'a claim that the entire declaration by Sayyiduna 'Ali ؓ was made in humbleness. However, this is clearly wrong. Imam Badr al-Din al-'Ayni mentions in his commentary that the following comment was made in humbleness: "I am not but a man from the Muslims". He also writes: "There is a difference of opinion among the *Ahl al-Sunnah Wa al-Jama'ah*, among them is one who believes 'Ali ؓ is more excellent than 'Uthman ؓ, whereas the majority is opposite, while Malik remained silent on it." ('Umda al-Qari, *Fada'il al-Sahabah*). It is clear no one ever differed in the excellence of Sayyiduna Abu Bakr ؓ or Sayyiduna 'Umar ؓ, their excellence was known decisively.

This is further demonstrated in the commentary by Imam Ibn Hajr, who quotes Imam al-Qurtuby: "when this was decided, then the excellence of Abu Bakr ؓ, then 'Umar ؓ became decisive (*Maqtu'*) among the *Ahl al-Sunnah*. Then they differed in who was most excellent after them two. The majority believe in the precedence of 'Uthman ؓ, while there is silence from Malik. The issue is discretionary and the reliable view is that these four, Allah Most High has chosen them for the Caliphate of his Prophet ﷺ and the establishment of his religion, and their station towards Him is according to their ranking in Caliphate, And Allah knows best." (Fath al-Bari of al-'Asqalani and al-Mufhim of al-Qurtuby)

<sup>9</sup> Sayyiduna 'Umar ؓ mentioned this when giving the Pledge of Allegiance to Sayyiduna Abu Bakr ؓ at the Event of Saqifa. It is also related Imam al-Hakim in his *al-Mustadrak* and in a longer tradition by Imam al-Bukhari in his *Sahih*, This is proof that the most excellent (*Afdal*) should lead and it is incorrect (*La Tasih*) for one less excellent (*Mafdul*) to lead in his place, even though it may be permissible.

It is the position of the *Zaydiyya* Sect of Shi'a Islam, who claim that Sayyiduna 'Ali ؓ was most excellent (*Afdal*) but not the first Caliph due to the Principle of *Imama al-Mafdul Ma'a Wujud al-Fadil* (Leadership of one less excellent in presence of one more excellent). Although the Principle is recognized as sound in Sunni Islam too, the application here is a gross error and only applies to other than Sayyiduna Abu Bakr ؓ and Sayyiduna 'Umar ؓ. The above *Hadith* obliterates such a thought, and the most excellent of the Companions was Sayyiduna Abu Bakr ؓ and this is why he was consensually elected as the first Caliph, as per the avowal of Sayyiduna 'Umar ؓ.

## QUESTION (2):

**Can one pray behind such an individual who considers Sayyiduna ‘Ali ؑ and the Descendants and Family of His Excellency, the Master of the Universe ؑ to be greater in excellence than Sayyiduna Abu Bakr al-Siddiq ؑ? <sup>10</sup>**

## ANSWER (2):

Such an individual is irreligious and misguided<sup>11</sup>. Praying behind him is prohibitively disliked (*Makruh Tahrimi*), to pray it will be a sin and if one has prayed it then it will become compulsory for one to repeat [the prayer].<sup>12</sup>

It is mentioned in *Khulasa al-Fatawa*<sup>13</sup> and *Khazana al-Muftiyyin*<sup>14</sup>:

The *Rafidi*, if he gives excellence to ‘Ali ؑ over other than him, then he is an Innovator. And if he denies the Caliphate of *al-Siddiq ؑ*, then he is a *Kafir*.

It is mentioned in *Al-Shalbiyya ‘Ala al-Zayla’i*<sup>15</sup>:

If one gives excellence to ‘Ali ؑ over the three, then he is an innovator.

It is mentioned in *Majma’ al-Anhar*<sup>16</sup>:

The *Rafidi*, if he gives excellence to ‘Ali ؑ, then he is an innovator.

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## MINI BIOGRAPHY OF THE AUTHOR:

‘Allama Abu al-‘Ula Amjad ‘Ali Ibn Hakim Jamal al-Din al-A‘zami [1296-1367AH] was the student of Imam Hidayatullah al-Rampuri (who was a close student of Imam Fadl al-Haq al-Khayrabadi), also the grand *Hadith* scholar of his age Shaykh Wasi Ahmad al-Muhaddith al-Surti and a devoted student of Medicine of Hakim ‘Abd al-Wali. He taught for three years at the school of Shaykh al-Muhaddith al-Surti and then he travelled to Brayli Sharif, India where he became a leading teacher.

He was a disciple of al-Imam al-Mujaddid Ahmad Rida and received *Ijaza* in the *Tariqa* shortly after. He was blessed to keep his direct company for around 18 years. Although he was a polymath (*Mutafannin*), he is mostly remembered for his remarkable grasp of Islamic Jurisprudence, hence his deserving title as *Sadr al-Shari’a*, given to him by none other than Imam Ahmad Rida, himself.

He is best known for his 17 part *magnum opus* on *Hanafi Fiqh*, named *Bahar-e-Shari’at*, which was later completed to 20 parts by his students. He was also famed for his particularly strong memory and was known to have memorized the whole of *al-Kafiyah* in a single day. He also has to his name an excellent four volume *Fatawa* collection, and numerous *Marginalia*’s to *Hanafi Fiqh* works, some of which have been lost, like his commentary to *Sharh Ma’ani al-Athar* by Imam al-Tahawi.

<sup>10</sup> It should be clear now from the whole *Fatwa*, and all the references sourced, that this issue is not a matter of Jurisprudence; rather it is one of Creed. The only issue concerning Jurisprudence here is the Islamic Ruling on the prayer behind one holding such heretical beliefs. Some may consider it valid; while others may reject the thought altogether, but none question the deviancy itself. Anyone who suggests otherwise is clearly acting intellectually indifferent and dishonest.

<sup>11</sup> An innovation that has not reached *Kufr*, otherwise one cannot follow the extreme innovator in prayer at all.

<sup>12</sup> Meaning that it is possible whilst disliked, and one must repeat the prayer (*Yajuz al-Iqtida’ Bi Him Ma’a al-Karaha*). This is the official position of the Hanafi School on praying behind a *Tafidili Shi’a*, and the few references given by the author above are merely a gesture, they are in fact a drop in the ocean of what is collectively found in the Hanafi works. (Please refer to: *Risala Rad al-Rafada* by Imam Ahmad Rida)

It is also considered *Makruh* to pray behind a *Mubtadi’* in the Shafi’i School, however there is no need for repetition (al-Nawawi, *al-Majmu’*, al-Mawardi, *al-Hawi al-Kabir*). In the Hanbali School it is *Makruh* and one must repeat the prayer if the Imam called towards his innovation (*Yu’lin Bi Bid’a*), if not then there is no need for repetition (Ibn Qudama al-Maqdasi, *al-Mughny*). As for the Maliki School, it is not possible for one to join the prayer as a follower in the first instance, where the Imam is corrupt, whether this is in creed or deed (al-Qarafi, *al-Dhakhr*).

<sup>13</sup> *Khulasa al-Fatawa* by Shaykh Tahir Ibn Ahmad Ibn ‘Abd al-Rashid al-Bukhari.

<sup>14</sup> *Khazana al-Muftiyyin Fi al-Furu’* by Shaykh Husayn Ibn Muhammad al-Saniqani.

<sup>15</sup> *Al-Hashiya ‘Ala Tabyin al-Haq’iq* by Shaykh Ahmad Ibn Yunus al-Shalbi.

<sup>16</sup> *Majma’ al-Anhar Fi Sharh Multaqa al-Abhar* by Shaykh Zada ‘Abd al-Rahman Ibn Sulayman.